IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 7TH DECEMBER 2006 / 16TH AGRAHAYANA 1928

WP(C).No. 29967 of 2006(P)

PETITIONER:

JOSE DANIEL,
THOTTATHIL THUNDIL VEEDU, NADUVILKARA,
KANNANALLOOR, KOLLAM.

BY ADV. SRI.G.PRABHAKARAN

RESPONDENTS:

1. THE REGIONAL TRANSPORT OFFICER-CUM-SECRETARY, REGIONAL TRANSPORT AUTHORITY, KOLLAM.

2. THE DEPUTY TAHSILDAR, (REVENUE RECOVERY), KOLLAM.

3. THE DEPUTY TRANSPORT COMMISSIONER, (APPELLATE AUTHORITY FOR MOTOR VEHICLES TAXATION ACT), SOUTH ZONE, THIRUVANANTHAPURAM.

4. ANITHAKUMARI, RESHMA BHAVAN, THEKKUMKARA, PULLICHIRA, KOLLAM.

R1 TO R3 BY GOVERNMENT PLEADER SRI.M.A.FAYAZ.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No.29967 OF 2006-P

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Dated this the 7th day of December, 2006.

JUDGMENT

Heard the learned counsel for the petitioner and the learned Government Pleader.

2. The petitioner is a registered owner of a motor vehicle, on account of which tax is due under the Kerala Motor Vehicles Taxation Act. According to him, the 4th respondent is the assignee of the vehicle under Ext.P1. That by itself is no ground for the registered owner to avoid liability under the statute. So much so, I do not find any ground to interfere, at the instance of the petitioner, with the revenue recovery proceedings. It is further pointed out that while the petitioner was abroad, his wife moved this Court against the revenue recovery proceedings and the petitioner alternatively filed an appeal before the District Collector, who is not the competent authority to consider an appeal under the Act. Without prejudice to the rights, if any, of the petitioner

to prosecute that appeal or seek remedies in accordance with law, this writ petition is dismissed.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/-